

CIV - 07 - 0813 MV WPL FILED

UNITED STATES DISTRICT COURT

CLAIM FOR DAMAGE,
INJURY, OR DEATH

INSTRUCTIONS: Please read carefully the instructions on the reverse side of this form. Use additional sheet(s) if necessary. See reverse side for additional instructions.

ALBUQUERQUE, NEW MEXICO
OMB NO.
1105-0008
RES 5-31-05

AUG 20 2007

1. Submit To Appropriate Federal Agency:

U.S. District Court
333 Lomas Blvd. NW RM 270
Albuquerque, New Mexico.
3/2871022. Name, Address of claimant and claimant's personal representative, if any. (See instructions on reverse.) (Number, street, city, State and Zip Code)
Mr. Shawn Lazzie #07801-046
United States Penitentiary Marion
P.O. Box 1000
Marion, Illinois 62959
CLERK 62959

3. TYPE OF EMPLOYMENT

MILITARY CIVILIAN ☒

4. DATE OF BIRTH

5/14/1977

5. MARITAL STATUS

Married

6. DATE AND DAY OF ACCIDENT

October 6th 2004

7. TIME (A.M. OR P.M.)

11:00 AM

8. Basis of Claim (State in detail the known facts and circumstances attending the damage, injury, or death, identifying persons and property involved, the place of occurrence and the cause thereof) (Use additional pages if necessary.)

Physical Injury - incarcerated beyond the Administration of Justice
Caused by malicious Prosecution by Prosecutor Marron Lee, AUSA
NOTE: Exhibit # A U.S. Constitution Amendment XIV -
All of Section 1, / and Section 2, / Section 2, /
Marron Lee, AUSA knew that under Section 2, /
As a Federal enrolled Native American She used
Malicious Prosecution
Continue to Attachment Sheets following

9. PROPERTY DAMAGE

NAME AND ADDRESS OF OWNER, IF OTHER THAN CLAIMANT (Number, street, city, State, and Zip Code)

N/A

BRIEFLY DESCRIBE THE PROPERTY, NATURE AND EXTENT OF DAMAGE AND THE LOCATION WHERE PROPERTY MAY BE INSPECTED. (See instructions on reverse side)

N/A

10. PERSONAL INJURY/WRONGFUL DEATH

STATE NATURE AND EXTENT OF EACH INJURY OR CAUSE OF DEATH, WHICH FORMS THE BASIS OF THE CLAIM. IF OTHER THAN CLAIMANT, STATE NAME OF INJURED PERSON OR DECEDENT

NOTE: Refer to Number #8 Basis OF Claim, See
Attachment Sheets with Exhibit A

11. WITNESSES

NAME

ADDRESS (Number, street, city, State, and Zip Code)

N/A

N/A

12. (See instructions on reverse)

AMOUNT OF CLAIM (in dollars)

12a. PROPERTY DAMAGE

N/A

12b. PERSONAL INJURY

\$700,000.00

12c. WRONGFUL DEATH

N/A

12d. TOTAL (Failure to specify may cause forfeiture of your rights.)

\$700,000.00

I CERTIFY THAT THE AMOUNT OF CLAIM COVERS ONLY DAMAGES AND INJURIES CAUSED BY THE ACCIDENT ABOVE AND AGREE TO ACCEPT SAID AMOUNT IN FULL SATISFACTION AND FINAL SETTLEMENT OF THIS CLAIM

13a. SIGNATURE OF CLAIMANT (See instructions on reverse side.)

13b. Phone number of signatory

N/A

14. DATE OF CLAIM

8-16-2007

CIVIL PENALTY FOR PRESENTING
FRAUDULENT CLAIM

The claimant shall forfeit and pay to the United States the sum of not less than \$5,000 and not more than \$10,000, plus 3 times the amount of damages sustained by the United States. (See 31 U.S.C. 3729.)

CRIMINAL PENALTY FOR PRESENTING FRAUDULENT
CLAIM OR MAKING FALSE STATEMENTS

Imprisonment for not more than five years and shall be subject to a fine of not less than \$5,000 and not more than \$10,000, plus 3 times the amount of damages sustained by the United States. (See 18 U.S.C.A. 287.)

95-108

NSN 7540-00-634-4046

Previous editions not usable

STANDARD FORM 95 (Rev. 7-85)
PRESCRIBED BY DEPT. OF JUSTICE
28 CFR 14.2

This Notice is provided in accordance with the Privacy Act, 5 U.S.C. 552a (b)(3), and concerns the information requested in the letter to which this Notice is attached.

A. *Authority:* The requested information is solicited pursuant to one or more of the following: 5 U.S.C. 301, 28 U.S.C. 501 et seq., 28 U.S.C. 2671 et seq., 28 C.F.R. Part 14.

PRIVACY ACT NOTICE

- B. *Principal Purpose:* The information requested is to be used in evaluating claims.
- C. *Routine Use:* See the Notices of Systems of Records for the agency to whom you are submitting this form for this information.
- D. *Effect of Failure to Respond:* Disclosure is voluntary. However, failure to supply the requested information or to execute the form may render your claim "invalid".

INSTRUCTIONS

Complete all items - Insert the word NONE where applicable

A CLAIM SHALL BE DEEMED TO HAVE BEEN PRESENTED WHEN A FEDERAL AGENCY RECEIVES FROM A CLAIMANT, HIS DULY AUTHORIZED AGENT, OR LEGAL REPRESENTATIVE AN EXECUTED STANDARD FORM 95 OR OTHER WRITTEN NOTIFICATION OF AN INCIDENT, ACCOMPANIED BY A CLAIM FOR MONEY DAMAGES IN A SUM CERTAIN FOR INJURY TO OR LOSS OF

Any instructions or information necessary in the preparation of your claim will be furnished, upon request, by the office indicated in item #1 on the reverse side. Complete regulations pertaining to claims asserted under the Federal Tort Claims Act can be found in Title 28, Code of Federal Regulations, Part 14. Many agencies have published supplemental regulations also. If more than one agency is involved, please state each agency.

The claim may be filed by a duly authorized agent or other legal representative, provided evidence satisfactory to the Government is submitted with said claim establishing express authority to act for the claimant. A claim presented by an agent or legal representative must be presented in the name of the claimant. If the claim is signed by the agent or legal representative, it must show the title or legal capacity of the person signing and be accompanied by evidence of his/her authority to present a claim on behalf of the claimant as agent, executor, administrator, parent, guardian or other representative.

If claimant intends to file claim for both personal injury and property damage, claim for both must be shown in item #12 of this form.

The amount claimed should be substantiated by competent evidence as follows:

(a) In support of the claim for personal injury or death, the claimant should submit a written report by the attending physician, showing the nature and extent of injury, the nature and extent of treatment, the degree of permanent disability, if any, the prognosis, and the period of hospitalization, or incapacitation, attaching itemized bills for medical, hospital, or burial expenses actually incurred.

PROPERTY, PERSONAL INJURY, OR DEATH ALLEGED TO HAVE OCCURRED BY REASON OF THE INCIDENT, THE CLAIM MUST BE PRESENTED TO THE APPROPRIATE FEDERAL AGENCY WITHIN TWO YEARS AFTER THE CLAIM ACCRUES.

(b) In support of claims for damage to property which has been or can be economically repaired, the claimant should submit at least two itemized signed statements or estimates by reliable, disinterested concerns, or, if payment has been made, the itemized signed receipts evidencing payment.

(c) In support of claims for damage to property which is not economically repairable, or if the property is lost or destroyed, the claimant should submit statements as to the original cost of the property, the date of purchase, and the value of the property, both before and after the accident. Such statements should be by disinterested competent persons, preferably reputable dealers or officials familiar with the type of property damaged, or by two or more competitive bidders, and should be certified as being just and correct.

(d) Failure to completely execute this form or to supply the requested material within two years from the date the allegations accrued may render your claim "invalid". A claim is deemed presented when it is received by the appropriate agency, not when it is mailed.

Failure to specify a sum certain will result in invalid presentation of your claim And may result in forfeiture of your rights.

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or other aspect of this collection of information, including suggestions for reducing this burden,

to Director, Torts Branch
Civil Division
U.S. Department of Justice
Washington, DC 20530

and to the
Office of Management and Budget
Paperwork Reduction Project (1105-0008)
Washington, DC 20503

INSURANCE COVERAGE

In order that subrogation claims be adjudicated, it is essential that the claimant provide the following information regarding the insurance coverage of his vehicle or property.

15. Do you carry accident insurance? Yes, if yes give name and address of insurance company (Number, street, city, State, and Zip Code) and policy number. No

N/A

16. Have you filed claim on your insurance carrier in this instance, and if so, is it full coverage or deductible?

N/A

17. If deductible, state amount

N/A

18. If claim has been filed with your carrier, what action has your insurer taken or proposes to take with reference to your claim? (It is necessary that you ascertain these facts)

N/A

19. Do you carry public liability and property damage insurance? Yes, If yes, give name and address of insurance carrier (Number, street, city, State, and Zip Code) No

N/A

8. Basis of Claim:

Taking away the Equal Protection of Law Denying my Due Process Denying me my Exercising of all rights. And knew in Federal Court Section 2.1 of the U.S. Constitution High Lighted excluding Indians

not taxed. (That under) - Whereas I am an Indian, as defined only by law. Which is a specific element required of the — United States for any Federal Prosecution:

Under " 18 U.S.C.A. § 1153, 3242, also known as the Major Crimes Act. That she Marron Lee, ~~USA~~

A USA Knew the U.S. Constitution doesn't apply to me exceeded her boundaries beyond the scope of her as a Professionalism Prosecutor. Excel her Malicious Prosecution upon me to Physical Injury Incarceration, Knew within her scope Under any Federal Statute I Committed no Federal Crime against the Country United States of America and my crime can only be Federal when my Crime is charged and Sentenced in Federal Court on a Federal Indian Reservation, for my crime was committed on a Federal Indian Navajo's Indian Reservation. With her Detrimental Vendetta Malicious Prosecution to enhance my Physical Injury Incarcerated. Why was she allowed to violate the Color of Law Violate the U.S. Constitution and Violated the Treaty between United States of America and the 1868 Treaty of the Navajo Indian Nation with Malicious Malign Malicious Prosecution. And use Terrorist Tactics against the U.S. Constitution and the Country of United States with no regards to the Leadership of this Country. Knownly she knew guilt of Conviction is not Racially Bias or Quoted in Court or Federal Court NOTE: I Mr. Shawn — Yazzie is a Indian a subjected ~~ethnic~~ ethnical Race classification Not a human being

Continue to Attached Following Pages →

8. Basis OF Claim

In Federal Court for Section 2 of the Constitution fully knowledgeably implies the United States Constitution doesn't apply to Federal enrolled Native American Indians and that as a Federal enrolled Tribal Member of the Navajo Indian Nation I am not Under the I.R.A. - NOTE: Indian Reorganization Act The only time I am not a Federal Enrolled Native American ~~Navajo~~ Navajo Indian is in State Court Prosecutor Marron Lee, AUSA and knew this a Law. She chose to make my Physical Injury greatest Malignant Incarcerated exercising Terrorist Tactics - Malign and vicious against the Leadership of this Country its Laws all Treaties with Malicious Prosecution. Even as why she did not inquire why wasn't I given a Extradition Hearing on the Navajo Indian Reservation that all charges be charged sentenced off the Reservation My Physical Injury Incarceration is Malice Detrimental Cruel and Unusual Punishment because I'm a Indian with out rights or Due Process just because Prosecutor — Ms Marron Lee, AUSA hates dispises me as a Indian ~~so~~ so she can Exalt her Malicious Prosecution showing the Country and the world she as a Terrorist has no respect for the Leadership of the United States of America the Country United States the Laws and the Laws of Due Process

Respectfully Submitted
Shulfr

U.S. CONSTITUTION

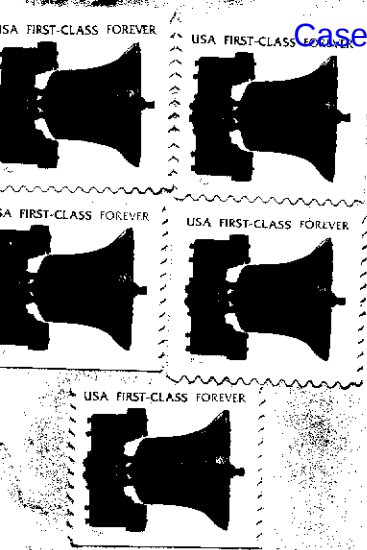
Amendment XIV [1868]

Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Section 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

Section 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.



RECEIVED
At Albuquerque NM

AUG 20 2007

MATTHEW J. DUNHAM
CLERK

U.S. District Court
333 Tomas Blvd, NW
Albuquerque, NM
RM 270
Zip 87102

JUN 12 2007
JUL 10 2007
States Penitentiary
1000
ON, IL

- 62959 -

Legal Mail